IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 24TH NOVEMBER 2006 / 3RD AGRAHAYANA 1928

Crl.MC.No. 695 of 2006()

AGAINST THE ORDER DATED 08/02/2006 IN CRMP. 747 /2006 IN CRA.130/2006 of SESSIONS COURT, ERNAKULAM

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PETITIONER: APPELLANT/ACCUSED.

S.SREEKUMAR, 513/11, FORT TOWNSHIP,
AMBALAMEDU P.O.

BY ADV. SRI.A.T.ANILKUMAR

RESPONDENTS: COMPLAINANT.

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1. STATE OF KERALA, REP, BY THE PUBLIC PROSECUTOR, DISTRICT COURT, ERNAKULAM.

2. MRS.JAYASREE RAJAGOPAL, PROPRIETOR, FAIR LADY BEAUTY CLINIC, MUNICIPAL SHOPPING COMPLEX, THRIPUNITHURA.

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 24/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

Crl.M.C.No.695 of 2006

Dated this the 24th day of November 2006

O R D E R

The petitioner has been found guilty, convicted and sentenced in a prosecution under Section 138 of the Negotiable Instruments Act. He preferred an appeal. By the impugned order (copy of which is produced as Annexure A dated 08/02/2006), The petitioner was directed to deposit an amount of Rs.25,000/- within a period of one month. He should have deposited the amount by 08/03/2006. Till this date, he has not deposited the amount. He assails the conditions for suspension that he must deposit an amount of Rs.25,000/-. The cheque is for an amount of Rs.60,000/-.

2. No circumstances have been brought to my notice which can persuade me to hold that the direction for deposit is unfair and unconscionable. The direction does appear to me to be absolutely justified. The learned counsel for the petitioner only prays that the petitioner may be granted some further time to deposit the amount or to settle the matter or to get ready and argue the appeal.

3. I am satisfied that the petitioner can be granted time till 21/12/2006 in the peculiar facts and circumstances of this case to deposit the amount. This criminal M.C is allowed to the above extent.

(R.BASANT, JUDGE)

jsr

R.BASANT, J

C.R.R.P.No.

ORDER

21ST DAY OF JULY 2006